



February 18, 2005

HOUSE BILL No. 1005

DIGEST OF HB 1005 (Updated February 16, 2005 4:43 pm - DI 103)

Citations Affected: IC 6-3.1; IC 22-4; noncode.

Synopsis: Life long learning tax credit. Establishes a life long learning tax credit program. Requires the department of workforce development to conduct a study of the impact of the life long learning tax credit program. Transfers 0.5% in the state fiscal year beginning July 1, 2005, and 1% percent thereafter of the money in the skills 2016 training fund to the state general fund to replace money lost from granting life long learning tax credits.

Effective: July 1, 2005.

Harris T, Smith J, Reske

January 19, 2005, read first time and referred to Committee on Commerce, Economic Development and Small Business.
February 17, 2005, amended, reported — Do Pass.

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HB 1005—LS 7741/DI 51+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1005

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-3.1-29 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2005]:

4 **Chapter 29. Life Long Learning Tax Credit**

5 **Sec. 1. As used in this chapter, "account" refers to an account**
6 **that qualifies as a life long learning account under this chapter.**

7 **Sec. 2. As used in this chapter, "credit" refers to a life long**
8 **learning tax credit granted under this chapter against state tax**
9 **liability.**

10 **Sec. 3. As used in this chapter, "department" refers to the**
11 **department of workforce development.**

12 **Sec. 4. As used in this chapter, "eligible education expense"**
13 **means a payment for education, including tuition and fees similar**
14 **payments, books, supplies, equipment, and tools or supplies that**
15 **may be retained by the employee after completion of a course of**
16 **instruction, other than the following:**

17 **(1) Meals, lodging, or transportation.**

HB 1005—LS 7741/DI 51+



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(2) Any course or other education involving sports, games, or hobbies.

Sec. 5. As used in this chapter, "eligible employee" means the following:

(1) A full-time employee of a participating employer.

(2) A part-time employee of a participating employer, if the part-time employee has the part-time employee's principal place of business with the participating employer in Indiana and the participating employer elects in the participating employer's application to the department under this chapter to include part-time employees in the participating employer's plan.

Sec. 6. As used in this chapter, "full-time employee" means an individual who:

(1) is employed for consideration for at least thirty-five (35) hours each week or who renders any other standard of service generally accepted by custom or specified by contract as full-time employment; and

(2) has the individual's principal place of employment in Indiana with a participating employer.

Sec. 7. As used in this chapter, "participating employer" means a corporation, person, or pass through entity that:

(1) employs at least one (1) eligible employee; and

(2) is selected under this chapter to participate in a pilot life long learning tax credit program under this chapter.

Sec. 8. As used in this chapter, "pass through entity" means a:

(1) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);

(2) partnership;

(3) trust;

(4) limited liability company; or

(5) limited liability partnership.

Sec. 9. As used in this chapter, "plan" refers to a life long learning plan that provides for the payment of eligible education expenses through an account.

Sec. 10. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax); and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this

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chapter.

Sec. 11. The pilot life long learning tax credit program is established to encourage life long learning practices by eligible employees. The department shall administer the program.

Sec. 12. (a) An eligible employee that makes an employee contribution to an account is eligible for a credit in a taxable year against the employee's state tax liability in the taxable year.

(b) The amount of the credit is equal to the least of the following:

(1) The employee contribution made by an eligible employee to the account in the taxable year.

(2) Five hundred dollars (\$500).

(3) The amount of the credits allocated by the department to the eligible employee for the taxable year.

Sec. 13. (a) A participating employer that makes an employer matching contribution to an account is eligible for a credit in a taxable year against the participating employer's state tax liability in the taxable year.

(b) The amount of the credit is equal to the amount determined under STEP THREE of the following formula:

STEP ONE: Determine the lesser of the following for each account:

(A) The participating employer contribution made to the account of an eligible employee in the taxable year.

(B) Five hundred dollars (\$500).

STEP TWO: Determine the sum of the STEP ONE amounts.

STEP THREE: Determine the lesser of the following:

(A) The STEP TWO amount.

(B) The amount of the credit allocated by the department to the participating employer for the taxable year.

Sec. 14. (a) If:

(1) a pass through entity does not have state income tax liability against which the credit provided by this chapter may be applied; and

(2) the pass through entity would be eligible for a credit under this chapter if the pass through entity were a taxpayer; a shareholder, partner, or member of the pass through entity is entitled to a credit under this chapter.

(b) Subject to this chapter, the amount of the credit to which a shareholder, partner, or member is entitled is equal to:

(1) the credit determined for the pass through entity for the taxable year as if the pass through entity were a taxpayer with

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state tax liability in the amount of the credit; multiplied by
 (2) the percentage of the pass through entity's distributive
 income to which the shareholder or partner is entitled.

Sec. 15. (a) If the amount of the credit provided under this
 chapter for a taxpayer in a taxable year exceeds the taxpayer's
 state tax liability for that taxable year, the taxpayer may carry the
 excess over to subsequent taxable years until the entire credit is
 used. The amount of the credit carryover from a taxable year shall
 be reduced to the extent that the carryover is used by the taxpayer
 to obtain a credit under this chapter for any subsequent taxable
 year.

(b) A taxpayer is not entitled to a carryback or refund of any
 unused credit.

Sec. 16. To receive the credit, a taxpayer must claim the credit
 on the taxpayer's annual state tax return or returns in the manner
 prescribed by the department of state revenue. The taxpayer shall
 submit to the department of state revenue the information that the
 department of state revenue determines is necessary for the
 department of state revenue to determine whether the taxpayer is
 eligible for the credit.

Sec. 17. To qualify as a life long learning plan under this
 chapter, the plan must meet all of the following criteria:

- (1) Be in writing.
- (2) Cover at least all full-time employees of the participating
 employer and, if the participating employer elects to cover
 part-time employees under the plan, all part-time employees.
- (3) Provide for the establishment of an account for each
 eligible employee to which:
 - (A) an eligible employee makes contributions for the
 payment of eligible education expenses; and
 - (B) the participating employer makes matching
 contributions on a dollar for dollar basis for the purpose of
 paying eligible education expenses.

However, the plan may limit the maximum amount that the
 participating employer must match. The limitation must
 uniformly apply to all full-time employees of the employer. If
 the participating employer elects to have part-time employees
 participate in the plan, the participating employer may
 impose a different uniform limitation for part-time
 employees.

- (4) Subject to section 18 of this chapter, provide that the
 account may be used only to pay eligible education expenses

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1 incurred by or on behalf of an eligible employee for education
2 selected at the sole discretion of the eligible employee.

3 (5) Provide that the availability of the plan does not reduce or
4 substitute for any other education program provided by the
5 participating employer, including the provision, by a
6 participating employer, of courses of instruction for the
7 participating employer's eligible employees (including books,
8 supplies, and equipment).

9 (6) Provide procedures for dissemination of information about
10 the plan, including the federal and state income tax
11 consequences of the plan.

12 (7) Provide for reporting to the department of state revenue
13 of the information prescribed by the department of state
14 revenue.

15 (8) Provide procedures for the allocation of credits certified
16 by the department for the participating employer's eligible
17 employees among the participating employer's eligible
18 employees.

19 (9) Be certified by the department as a plan.

20 Sec. 18. (a) To qualify as a life long learning account under this
21 chapter, the account must meet all the following criteria:

22 (1) Be established and administered in accordance with a
23 plan.

24 (2) Subject to this section, be used only to pay eligible
25 education expenses incurred by or on behalf of an eligible
26 employee for education selected at the sole discretion of the
27 eligible employee.

28 (3) Be held by a trustee or fiduciary, including the treasurer
29 of state, approved by the department.

30 (b) Money in an account that is contributed by an eligible
31 employee is held in trust for the eligible employee. An eligible
32 employee may withdraw the eligible employee's contribution to the
33 account at any time for any purpose. However, if the amount is not
34 withdrawn to:

35 (1) pay eligible education expenses; or

36 (2) transfer the money in the manner prescribed by the
37 department of state revenue to the account of another
38 participating employer;

39 the individual forfeits any tax benefit that the individual received
40 under this chapter for the amount withdrawn. The department of
41 state revenue shall prescribe a method for recovery of the tax
42 benefit in the taxable year in which the event causing the forfeiture

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of the tax benefit occurs.

(c) An account may consist of gifts to an account in addition to contributions by an eligible employee or a participating employer. However, a gift to an account may be used only to pay eligible education expenses.

(d) Transfer of an unused employer contribution as an employer contribution to another account does not result in forfeiture of a tax benefit received under this chapter. However, the employer is not eligible for an additional credit for the amount transferred.

Sec. 19. A taxpayer that receives a credit for a contribution to an account is not entitled to a separate deduction for an eligible education expense in the taxable year that the eligible education expense is paid from the account. If the taxpayer deducted the eligible education expense in computing for federal income tax purposes:

(1) federal adjusted gross income in the case of an individual; or

(2) in the case of taxpayers other than an individual:

(A) federal taxable income (as defined in Section 63 of the Internal Revenue Code) in the case of corporations;

(B) federal life insurance company taxable income (as defined in Section 801 of the Internal Revenue Code) in the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law;

(C) federal taxable income (as defined in Section 832 of the Internal Revenue Code) in the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law; or

(D) federal taxable income (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) in the case of trusts and estates;

the taxpayer shall add the amount of the deduction back in determining state adjusted gross income under IC 6-3-1-3.5 and IC 6-5.5-1-2.

Sec. 20. The department shall establish a program to provide information to participating employers and eligible employees about the life long learning tax credit program established by this chapter.

Sec. 21. (a) The department shall establish a program to certify participating employer and eligible employee contributions to an account as eligible for a credit. The program must provide that the

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participating employer applies for the credits on behalf of the participating employer and the participating employer's eligible employees. The program may permit an application to be made that covers more than one (1) taxable year.

(b) The total amount of credits approved in a state fiscal year may not exceed the amount transferred in the state fiscal year from the skills 2016 training fund to the state general fund under IC 22-4-24.5-1(c). Qualifying applicants for a credit that apply to the department in the manner and in the form prescribed by the department shall be certified for a credit in the amount that the applicant estimates will be contributed to the accounts of eligible employees by lottery conducted by the department until the maximum amount of credits allowed under this section for a state fiscal year has been allocated among qualifying applicants. The certification may cover more than one (1) taxable year and need not match the state fiscal year of the transfer from the skills 2016 training fund to the year the credit is taken. However, the department may provide a procedure for an applicant that is denied a tax credit solely as a result of the cap imposed by this subsection to be given priority in the award of a credit in a subsequent state fiscal year. An award of the credit must indicate the part of the award that is for participating employer contributions and the part of the award that is available to eligible employees for eligible employee contributions.

(c) The certification of a credit under this section applies only to contributions made after the date of the certification.

(d) If the credits allocated to a participating employer or an eligible employee are not used as provided in the certification, the department may reallocate the unused credits to another qualified applicant in the order determined by the department.

Sec. 22. (a) The department shall provide for a study of the pilot life long learning tax credit program established by this chapter. The evaluation must include a fiscal analysis of the program, including an assessment of the effectiveness of the provisions of this chapter to:

- (1) retain jobs;
- (2) increase income; and
- (3) increase the tax base.

The study must measure the extent to which life long learning practices are increased. The analysis may include a review of the practices and experiences of other states or political subdivisions with laws similar to this chapter.

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(b) The department shall require employers applying for a credit under this chapter to provide the information that the department determines is necessary to carry out the study required by this section.

(c) The department shall report to the legislative council, not later than November 1 of each year in an electronic format under IC 5-14-6, on the progress of its study.

Sec. 23. Subject to the approval of the budget agency, the department may receive and accept gifts and other donations from any public or private source in its administration of the program.

SECTION 2. IC 22-4-24.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The skills 2016 training fund is established to do the following:

(1) Administer the costs of the skills 2016 training program established by IC 22-4-10.5.

(2) Undertake any program or activity that furthers the purposes of IC 22-4-10.5.

(3) Refund skills 2016 training assessments erroneously collected and deposited in the fund.

(b) ~~Fifty-five~~ **Fifty-four** percent ~~(55%)~~ **(54%)** of the money in the fund shall be allocated to the state educational institution established under IC 20-12-61. The money so allocated to that state educational institution shall be used as follows:

(1) An amount to be determined annually shall be allocated to the state educational institution established under IC 20-12-61 for its costs in administering the training programs described in subsection (a). However, the amount so allocated may not exceed fifteen percent (15%) of the total amount of money allocated under this subsection.

(2) After the allocation made under subdivision (1), fifty percent (50%) shall be used to provide training to participants in joint labor and management building trades apprenticeship programs approved by the United States Department of Labor's Bureau of Apprenticeship Training.

(3) After the allocation made under subdivision (1), fifty percent (50%) shall be used to provide training to participants in joint labor and management industrial apprenticeship programs approved by the United States Department of Labor's Bureau of Apprenticeship Training.

(c) **One percent (1%) of the money in the fund shall be transferred to the state general fund to replace revenue lost as the result of life long learning credits granted under IC 6-3.1-29.**

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~~(c)~~ **(d)** The remainder of the money in the fund shall be allocated as follows:

(1) An amount to be determined annually shall be set aside for the payment of refunds from the fund.

(2) The remainder of the money in the fund after the allocations provided for in ~~subsection~~ **subsections (b) and (c)** and subdivision (1) shall be allocated to other incumbent worker training programs.

~~(d)~~ **(e)** The fund shall be administered by the board. However, all disbursements from the fund must be recommended by the incumbent workers training board and approved by the board as required by IC 22-4-18.3-6.

~~(e)~~ **(f)** The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

~~(f)~~ **(g)** Money in the fund at the end of a state fiscal year does not revert to the state general fund.

~~(g)~~ **(h)** The fund consists of the following:

(1) Assessments deposited in the fund.

(2) Earnings acquired through the use of money belonging to the fund.

(3) Money received from the fund from any other source.

(4) Interest earned from money in the fund.

(5) Interest and penalties collected.

~~(h)~~ **(i)** All money deposited or paid into the fund is appropriated annually for disbursements authorized by this section.

~~(i)~~ **(j)** Not later than April 30 each year, the department shall prepare an annual report that shows the amount of unobligated money in the fund on that date.

~~(j)~~ **(k)** The incumbent workers training board may reallocate the unobligated money shown in the annual report required by subsection ~~(j)~~ **(j)** in accordance with subsections (b) and ~~(c)(2)~~ **(d)(2)**.

~~(k)~~ **(l)** Any balance in the fund does not lapse but is available continuously to the department for expenditures consistent with this chapter.

SECTION 3. [EFFECTIVE JULY 1, 2005] IC 6-3.1-29, as added by this act, applies only to taxable years beginning after December 31, 2005.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Small Business, to which was referred House Bill 1005, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 5 through 17.

Page 2, delete lines 1 through 21.

Page 2, line 22, delete "3." and insert "1.".

Page 2, line 24, delete "4." and insert "2.".

Page 2, delete lines 27 through 34, begin a new paragraph and insert:

"Sec. 3. As used in this chapter, "department" refers to the department of workforce development."

Page 2, line 35, delete "6." and insert "4.".

Page 2, line 36, after "tuition" delete "," and insert "and".

Page 2, line 36, after "fees" delete ",".

Page 2, line 37, delete "and".

Page 2, line 37, after "equipment," insert **"and tools or supplies that may be retained by the employee after completion of a course of instruction,"**.

Page 2, delete lines 39 through 40.

Page 2, line 41, delete "(2)" and insert "(1)".

Page 2, line 42, delete "(3)" and insert "(2)".

Page 3, delete lines 2 through 4, begin a new paragraph and insert:

"Sec. 5. As used in this chapter, "eligible employee" means the following:

(1) A full-time employee of a participating employer.

(2) A part-time employee of a participating employer, if the part-time employee has the part-time employee's principal place of business with the participating employer in Indiana and the participating employer elects in the participating employer's application to the department under this chapter to include part-time employees in the participating employer's plan."

Page 3, line 5, delete "8." and insert "6.".

Page 3, line 11, delete "a" and insert **"Indiana with a participating employer."**

Page 3, delete line 12.

Page 3, delete lines 13 through 14, begin a new paragraph and insert:

"Sec. 7. As used in this chapter, "participating employer" means a corporation, person, or pass through entity that:

HB 1005—LS 7741/DI 51+



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- (1) employs at least one (1) eligible employee; and**
- (2) is selected under this chapter to participate in a pilot life long learning tax credit program under this chapter."**

Page 3, line 15, delete "10." and insert "8."

Page 3, delete lines 22 through 23.

Page 3, line 24, delete "12." and insert "9."

Page 3, line 25, delete "educational" and insert "**eligible education expenses**".

Page 3, line 26, delete "assistance".

Page 3, line 27, delete "13." and insert "10."

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"Sec. 11. The pilot life long learning tax credit program is established to encourage life long learning practices by eligible employees. The department shall administer the program."

Page 3, line 35, delete "14. (a) A full-time" and insert "**12. (a) An eligible**".

Page 3, line 40, delete "a full-time" and insert "**an eligible**".

Page 4, line 1, delete "office" and insert "**department**".

Page 4, line 1, after "to the" insert "**eligible**".

Page 4, line 3, delete "15." and insert "13."

Page 4, line 3, delete "An" and insert "**A participating**".

Page 4, line 5, delete "employee's" and insert "**participating employer's**".

Page 4, line 10, after "The" insert "**participating**".

Page 4, line 10, delete "a" and insert "**an eligible**".

Page 4, line 11, delete "full-time".

Page 4, line 16, delete "office" and insert "**department**".

Page 4, line 16, after "to the" insert "**participating**".

Page 4, line 18, delete "16." and insert "14."

Page 4, line 33, delete "17." and insert "15."

Page 5, line 1, delete "18." and insert "16."

Page 5, line 3, delete "." and insert "**of state revenue**".

Page 5, line 4, delete "department the information that the department" and insert "**department of state revenue the information that the department of state revenue**".

Page 5, line 5, after "department" insert "**of state revenue**".

Page 5, line 7, delete "19." and insert "17."

Page 5, line 10, before "employer" insert "**participating**".

Page 5, line 10, delete "." and insert "**and, if the participating employer elects to cover part-time employees under the plan, all part-time employees**".

Page 5, line 12, delete "full-time" and insert "**eligible**".

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Page 5, line 13, delete "a qualified full-time" and insert "**an eligible**".

Page 5, line 15, after "the" insert "**participating**".

Page 5, line 18, after "that the" insert "**participating**".

Page 5, line 20, after "." insert "**If the participating employer elects to have part-time employees participate in the plan, the participating employer may impose a different uniform limitation for part-time employees.**".

Page 5, line 21, delete "sections 20 and 21" and insert "**section 18**".

Page 5, line 23, delete "a full-time" and insert "**an eligible**".

Page 5, line 24, delete "full-time" and insert "**eligible**".

Page 5, delete lines 26 through 28.

Page 5, line 29, delete "(6)" and insert "**(5)**".

Page 5, line 30, after "by the" insert "**participating**".

Page 5, line 31, delete "an" and insert "**a participating**".

Page 5, line 32, delete "employer's full-time" and insert "**participating employer's eligible**".

Page 5, line 34, delete "(7)" and insert "**(6)**".

Page 5, line 37, delete "(8)" and insert "**(7)**".

Page 5, line 37, after "department" insert "**of state revenue**".

Page 5, line 38, delete "department." and insert "**department of state revenue.**".

Page 5, line 39, delete "(9)" and insert "**(8)**".

Page 5, line 40, delete "office" and insert "**department**".

Page 5, line 40, delete "employer's full-time" and insert "**participating employer's eligible**".

Page 5, line 41, delete "employer's full-time" and insert "**participating employer's eligible**".

Page 5, line 42, delete "(10)" and insert "**(9)**".

Page 5, line 42, delete "office" and insert "**department**".

Page 6, line 1, delete "20." and insert "**18.**".

Page 6, line 5, delete "and section 21 of this chapter".

Page 6, line 7, delete "a full-time" and insert "**an eligible**".

Page 6, line 8, delete "full-time" and insert "**eligible**".

Page 6, between lines 8 and 9, begin a new line block indented and insert:

"(3) Be held by a trustee or fiduciary, including the treasurer of state, approved by the department."

Page 6, line 9, delete "a full-time" and insert "**an eligible**".

Page 6, line 10, after "the" insert "**eligible**".

Page 6, line 10, delete "A full-time" and insert "**An eligible**".

Page 6, line 11, delete "full-time" and insert "**eligible**".

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Page 6, line 16, after "department" insert **"of state revenue"**.

Page 6, line 16, after "another" insert **"participating"**.

Page 6, line 18, after "department" insert **"of state revenue"**.

Page 6, between lines 21 and 22, begin a new paragraph and insert:

"(c) An account may consist of gifts to an account in addition to contributions by an eligible employee or a participating employer. However, a gift to an account may be used only to pay eligible education expenses.

(d) Transfer of an unused employer contribution as an employer contribution to another account does not result in forfeiture of a tax benefit received under this chapter. However, the employer is not eligible for an additional credit for the amount transferred."

Page 6, delete lines 22 through 42.

Page 7, delete lines 1 through 6.

Page 7, line 7, delete "23." and insert **"19."**

Page 7, line 11, delete ":" and insert **"for federal income tax purposes:"**.

Page 7, line 12, delete ";" and insert **"in the case of an individual;"**.

Page 7, line 13, delete "for purposes of IC 6-3:" and insert **"in the case of taxpayers other than an individual:"**.

Page 7, line 31, delete "24." and insert **"20."**

Page 7, line 31, delete "office" and insert **"department"**.

Page 7, line 32, after "to" insert **"participating"**.

Page 7, line 32, delete "full-time" and insert **"eligible"**.

Page 7, line 34, delete "25." and insert **"21."**

Page 7, line 34, delete "office" and insert **"department"**.

Page 7, line 34, after "certify" insert **"participating"**.

Page 7, line 35, after "and" insert **"eligible"**.

Page 7, line 36, after "that the" insert **"participating"**.

Page 7, line 37, after "of the" insert **"participating"**.

Page 7, line 37, after "and the" insert **"participating"**.

Page 7, line 37, delete "full-time" and insert **"eligible"**.

Page 8, line 2, delete "the office in" and insert **"the department in"**.

Page 8, line 2, after "by the" delete "office" and insert **"department"**.

Page 8, line 4, delete "full-time" and insert **"eligible"**.

Page 8, line 5, delete "in the order in which the applicants apply to the office" and insert **"by lottery conducted by the department"**.

Page 8, line 10, delete "office" and insert **"department"**.

Page 8, line 15, after "for" insert **"participating"**.

Page 8, line 16, delete "full-time" and insert **"eligible"**.

Page 8, line 16, after "for" insert **"eligible"**.

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Page 8, line 19, delete "an" and insert "**a participating**".
 Page 8, line 19, delete "a full-time" and insert "**an eligible**".
 Page 8, line 20, delete "office" and insert "**department**".
 Page 8, line 22, delete "in which qualifying applicants are filed with the office." and insert "**determined by the department.**".
 Page 8, line 23, delete "26." and insert "**22.**".
 Page 8, line 23, delete "office" and insert "**department**".
 Page 8, line 23, after "of the" insert "**pilot**".
 Page 8, line 30, delete ";" and insert ".".
 Page 8, line 31, delete "in the pilot counties."
 Page 8, line 32, delete "increased in the pilot counties." and insert **increased.**".
 Page 8, line 37, delete "office" and insert "**department**".
 Page 8, line 40, delete "office" and insert "**department**".
 Page 8, after line 42, begin a new paragraph and insert:
"Sec. 23. Subject to the approval of the budget agency, the department may receive and accept gifts and other donations from any public or private source in its administration of the program."
 and when so amended that said bill do pass.
 (Reference is to HB 1005 as introduced.)
 BORROR, Chair
 Committee Vote: yeas 11, nays 0.

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